THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2309 of 1999

ORAL ORDER:

This writ petition is filed seeking a Mandamus directing the respondents to consider the case of the petitioner-C.Sundara Rao for awarding pension and gratuity on par with other employees of the Institution.

It appears, the writ petitioner C.Sundara Rao died during the pendency of writ petition and his legal heirs were brought on record.

As per the averments made in the counter affidavit, it is seen that C.Sundara Rao, who was the employee of the Respondent Institution retired on attaining the age of superannuation of 58 years in the year 1984. Subsequently, he was appointed on consolidated monthly pay for a specified period, which was renewed from time to time. The Board of Trustees, Tirumala Tirupati Devasthanams passed a Resolution No.874 dated 25.12.1987 for providing time scale of pay to the staff with effect from 1.12.1987. Late C.Sundara Rao also sought for benefit of the said resolution.

The fact that he attained the age of superannuation in the month of February 1984 is not in dispute. It appears, thereafter he was engaged on consolidated pay and that was being renewed from time to time, but he was never treated as employee since he had already retired from service on attaining age of superannuation in the year 1984 itself. Thus, the resolution passed by the Board on 25.12.1987 is not applicable to his case. Therefore, claiming pensionary and other benefits on par with other employees particularly one T.Satyanarayana does not arise. The said Satyanarayana was put on timescale in the year 1990 i.e. much after passing of Board Resolution on 25.12.1987.

Therefore, late Sundara Rao could not have compared his case with other employees of TTD. Merely because he was engaged on consolidated pay after his retirement for specified period, which was renewed from time to time, it will not entitle him to claim the benefit on par with other regular employees of TTD. The writ petition is devoid of merits and liable to be dismissed.

Accordingly, the writ petition is dismissed. No order as to costs.

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C.V.RAMULU, J

Date: 31.10.2007

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THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.2309 of 1999

31.10.2007

IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V. RAMULU

W.P.No.2309 of 1999

Date: 31st October, 2007

Between:

C.Sundara Rao, died per L.Rs.
C.Satyavathi & C.V.Srinivasa Rao.

.. Petitioners

And

The Executive Officer,
Tirumala Tirupathi Devasthanams,
Tirupathi & another.

.. Respondents